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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Martin R. Schiff, et al.

) Group Art Unit 2171

Appl. No. : 09/728,583

Filed : December 1, 2000

For : SYSTEMS AND METHODS
OF COMPARING PRODUCT
INFORMATION

Examiner : Unknown

) I hereby certify that this correspondence and all
) marked attachments are being deposited with the
) United States Postal Service as first-class mail in an
) envelope addressed to: Assistant Commissioner for
) Patents, Washington, D.C. 20231, on

August 24, 2001
(Date)

James B. Bear, Reg. No. 25,221

RECEIVED

AUG 29 2001

OFFICE OF PETITIONS

DECLARATION UNDER 37 C.F.R. § 1.47(a) BY REXFORD JOHNSON
REGARDING NONSIGNING INVENTOR PAUL COLANGELO

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I, Rexford Johnson, declare and state the following:

1. From June 25, 2001 to August 10, 2001, I was a summer associate at Knobbe, Martens, Olson and Bear, LLP, which represents Travel Services International, Inc. ("Travel Services International") with regard to certain intellectual property matters.

2. I am informed and believe that Martin Schiff, Kathleen Sussman-Wiles, Vivian Ewart, Wallace Huff, Byron Berk, Maureen Elenberger, Timothy Fessenden, Paul Fitton, Vance Loiselle, Michael Carpenter, Michael Sherota, Elizabeth Judy, Elena Rodriguez, Holley Christen, Mitch Cox, Todd Elliott, Kevin Helms, Adolf Quintana, Dot Tolle, Nancy Porter, Karen Reynolds, Monica Scanlon, Paul Colangelo, Tracey Codd, Joannell DeLand, Timothy Moorhead, Anne D. Burkard, George DelPino, Joelle Delva, Sharon Everhart-Brooks, Bradley Ferguson, David Forman, Samuel Hintz, Irwin Klotz, Courtney Kurk, Keith Leslie, Sandi Levy, Fred

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Locicero, Charlotte Luna, Jeffrey Nickerson, and Maryann Bastnagel are joint and co-inventors in the above-referenced U.S. patent application.

3. I am informed and believe that at the time of the activities leading up to the invention of the subject matter of the above-referenced U.S. patent application, Paul Colangelo was a consultant at PricewaterhouseCoopers hired by Travel Services International to do technical work.

4. I am informed and believe that Paul Colangelo participated in a project to develop systems and methods of comparing product information on behalf of Travel Services International.

5. The last address of Paul Colangelo, known to me, is:

67 Laura Drive
Airmont, NY 10952.

6. On August 9, 2001, I conducted an on-line Yahoo People Search for Paul Colangelo and the search results returned the following address: 67 Laura Dr., Monsey, NY 10952-3823. A copy of a printout of the search results is attached hereto as Exhibit A and is incorporated herein by reference.

7. On August 9, 2001, I called Paul Colangelo at the last telephone number known to me, (845) 356-5759, and had a telephone conversation with Paul Colangelo. During the telephone conversation, Paul Colangelo said that he would not sign the declaration or assignment documents. Paul Colangelo further stated that he provided the letter sent by Knobbe, Martens, Olson & Bear, LLP dated July 20, 2001 to Doug Hott, In-House Counsel for PricewaterhouseCoopers.

8. On August 9, 2001, at approximately 5:39 p.m., I sent an e-mail to Paul Colangelo regarding our telephone conversation confirming Paul Colangelo's decision not to sign the declarations and assignments. A copy of this e-mail is attached hereto as Exhibit B and is incorporated herein by reference.

9. I received an e-mail from Paul Colangelo sent on Friday August 10, 2001 at 6:47 am regarding my e-mail dated August 9, 2001. Paul Colangelo stated that the best thing is to have me contact Doug Hott directly as "Doug is aware of the situation and is also aware of the position Monica Scanlon and I have taken towards this request." A copy of this e-mail is attached hereto as Exhibit C and is incorporated herein by reference.

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10. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 8/24/01

By: 
Rexford Johnson

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